



**SPECIAL MEETING OF THE COMMON COUNCIL
MIDDLETOWN CONNECTICUT
AUGUST 22, 2016**

The Special meeting Questions to Directors of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, August 22, 2016 at 6 p.m.

Present:

Mayor Daniel T. Drew, Councilman Eugene Nocera, Councilman Thomas Councilman Serra, Councilwoman Mary Bartolotta, Councilman Gerald Daley, Councilman Robert Santangelo, Councilman Robert Blanchard, Councilman Grady Faulkner, Jr., Councilman Sebastian Giuliano

Absent:

Council Members Carl Chisem, Philip Pessina, Deborah Kleckowski, Linda Salafia, and Corporation Counsel Daniel B. Ryan

1. Mayor calls meeting to order.

The Mayor calls the meeting to order at 6:03 p.m. He asks the Fire Officials from Middletown, Westfield, and South Fire to lead the public in the Pledge of Allegiance.

The Chair thanks everyone for coming; he asks the members of the Common Council to speak into the microphones and to speak up so we can accommodate everyone at the meeting.

The call of the meeting is read; the Chair declares the call a legal call and the meeting a legal meeting.

2. Chair opens public hearing on agenda items.

The Chair reminds the Council to speak up during the meeting. He opens the public hearing on all agenda items at 6:04 p.m. He asks that speakers state their name and address for the record and to limit their comments to five minutes.

Jennifer Mar, Chair of the Westfield Residents Association speaks to their concerns on the firing range. They can't track down any information on this project except for the bond. There are no plans available. It will spend a lot of money and the tax payers don't know what is proposed tonight and it will be voted on this evening. She asks how will the public be able to address this when it is voted on? Rushing to approve a project that was not available seems deceptive. She has questions on how much of the noise will be abated. Will people be protected from stray bullets that use the area. She asks what recourse the public will have if this doesn't fix the problem. The training center is located at a suitable location but faces challenges. It is unreasonable for a \$1.5 million project to rush the approval process to appear that something is being done. Is it the right thing to do. She wants to be clear, it is not the police training, but the noise in the neighborhood that needs to be addressed. Will this function the way it is supposed to. It currently doesn't function appropriately. Please be thoughtful and inclusive and transparent and make sure this is the best option.

Eleanor Kelsey speaks to the rifle range and bullet system and the need for remediation. The reason she is discussing the appropriation request is because although you are approving these bonds, separately, they don't all go together. The bullet retrieval is premature, and the remediation should be done now. There are unanswered questions before you go forward. How can a former Council appropriate money for a firing range when this was previously designated as watershed and it used taxpayer dollars for it and to redesignate it takes away the taxpayer's rights and goes against what it was purchased for. There was a New Haven case about this exact issue. She discusses a rifle range in an R45 Zone requires a special permit unless there is an emergency and how you can avoid that is beyond me. This doesn't seem to be an emergency. How will you explain that. There are a number of other things. Inland/Wetlands should be involved because the bullets land in the stream. With the stream going beyond the berm, that is where the lead is going. My question is how much of the dirt will be excavated. The Chair states you have 30 seconds. Ms Kelsey states she has handed out her remarks and asks that they read it over and consider them. It is important for the bullet retrieval system and remediation needs to be done. A new berm and soil is important and she hopes they reconsider this.

3. Chair closes public hearing on agenda items.

The Chair asks if there are any more speakers on agenda items. Seeing none, he closes the public hearing at 6:18 p.m.

4. Workshop Radio Communications Modifications and Upgrades

- A. Approving holding an executive session to discuss modifications and upgrades top radio communications for Fire and Police pursuant to CT General Statutes Section 1-200 (6) (C) matters concerning security or the deployment of security personnel, or devices affecting public security.**

(Approved)

Resolution No.101-16

File Name 16aug22radioexeuctivesession

Be it Resolved by the Common Council of the City of Middletown: That it hold an executive session immediately following the passage of this Resolution for purposes of discussing modifications and upgrades to the radio communications used by the Fire and Police Departments in accordance with Connecticut General Statutes Sec. 1-200 (6) (C) matters concerning security strategy or the deployment of security personnel, or devices affecting public security.

Councilman Thomas Councilman Serra reads and moves for approval holding an executive session to discuss modifications and upgrades top radio communications for Fire and Police pursuant to CT General Statutes Section 1-200 (6) (C) matters concerning security or the deployment of security personnel, or devices affecting public security. Councilman Gerald Daley seconds the motion. The chair calls for the vote. It is 8 aye votes by Councilman Eugene Nocera, Councilman Thomas Councilman Serra, Councilwoman Mary Bartolotta, Councilman Gerald Daley, Councilman Robert Santangelo, Councilman Robert Blanchard, Councilman Grady Faulkner, Jr., Councilman Sebastian Giuliano; 0 nay votes by no one and 4 absent by Councilman Carl Chisem, Councilman Philip Pessina, Councilwoman Deborah Kleckowski, Councilwoman Linda Salafia. The Chair states the matter carried with 8 affirmative votes, 0 in opposition and 4 absent.

The Chair states who do you invite to this session; who do you want to include. They are Director of Communications Wayne Bartolotta, Deputy Director Communications Joseph Kronenberger, Fire Chief Robert Kronenberger, Deputy Fire Chief Al Leary, Fire Chief South Fire Robert Ross, Deputy Fire Chief Westfield Ponzio, Ross Andrew, Public Safety Telecommunications Commission Chair, Deputy Chief of Police Michael Timbro, Police Captain John Lozefski, Emergency Management Director George Dunn, General Counsel Brig Smith, Bond Counsel Michael Andreanna, Motorola Representatives Bob Prince and Steve Baldrate.

The Chair states those taking part in the executive session should remain in the chamber and he asks that all other individuals in the chamber. The Chair declares the executive session at 6:19 p.m.

- B. Motion to return to regular meeting and to recess to set up for broadcasting**

Motion to Recess

Councilman Thomas Councilman Serra reads and moves for approval returning to regular meeting and to recess to set up for broadcasting. Councilman Gerald Daley seconds the motion. The chair calls for the vote. It is 8 aye votes by Councilman Eugene Nocera, Councilman Thomas Councilman Serra, Councilwoman Mary Bartolotta, Councilman Gerald Daley, Councilman Robert Santangelo, Councilman Robert Blanchard, Councilman Grady Faulkner, Jr., Councilman Sebastian Giuliano; 0 nay votes and 4 absent by Councilman Carl Chisem, Councilman Philip Pessina, Councilwoman Deborah Kleckowski, Councilwoman Linda Salafia. The Chair states the matter carried with 8 affirmative votes, 0 in opposition and 4 absent.

The Chair declares recess at 7:43 p.m.

Meeting Reconvenes

The Chair reconvenes the meeting at 7:50 p.m. and asks everyone to take their seats.

5. Workshop on the Dingwall-Horan Firing Range remediation construction plan.

The Chair opens the workshop on the Dingwall-Horan Firing Range at 7:50 p.m. Deputy Chief Timbro comes forward to give a brief overview.

Deputy Chief Timbro discusses the study that came back with a 20 foot berm on two sides of the range. When the Chief and I looked at that and with research we can find a company to come up

with a better solution. They are looking at two phases for the project, noise and environmental remediation. Both are coming in under \$750,000. Troy Acoustics is here this evening and recommended a bullet trap to catch projectiles and proposed to clean up the current berm and reclaiming the dirt. The other company never mentioned that. Troy is the sole proprietor of the bullet trap; he introduces Bill Mr. Bergaidis.

Mr. Mr. Bergaidis states they work for the FBI, US Army, Navy, Air Force and Marine Corps as well as special force groups. With the resources of the U. S. when it comes to shooting range acoustics, we are called to fix the problem and do it well. We do it all over the country. For the Middletown Facility, we will address the two main concerns: the acoustics, audible gun fire transmitted to the neighbors and the berm. We are proposing to put the shooters under cover and create a wall alongside the structure which would be connected to the wall which is 160 feet long for the new rubber bullet trap. The acoustic structure is a metal one and within the height, it is about 14 feet and to the eave it is 125 feet long and 95 feet wide. This should accommodate the police department and it will have low, dimmable lights. The bullet trap will extend some 70 feet beyond the roof structure for a total of 160 feet; it goes beyond the roof structure. The building will have a high acoustic ceiling and the concrete wall will be acoustic treated to stop the noise from going out in the northeast direction. The structure will be fully acoustic treated to stop the noise. According to the report he read, the audibility is more intrusive than the number. They will significantly reduce the noise. We guarantee that. We can't guarantee the level until we do the measurements and the report was done in 2012 and we would like to do an updated report. Once we do that we can tell how many decibels will be reduced. If you reduce the gun noise by 10 decibels, you cut the noise and it is half as loud. Usually they are in the range of 13 - 15 decibels. He shows the targets and the bullet trap is out 70 feet. It maintains the same shooting length. They don't want to inhibit the training, but enhance it and protect the neighbors from the audibility of the gun fire. The training will be under cover and have lights at the various firing lines; he explains the positioning of the lights. The roof covering is out to the 35 yard line. Gun noise travels in a hemispheric way and with the roof structure back to 35 yards beyond the 25 yard line for shooting will attenuate the noise. He shows a plan of the firing range structure. They have given this some thought to the training required. They have maintained the budget to meet what is available. The wall will attenuate the noise; he discusses the angle as 45 degrees toward the wall. We do this for a living and he speaks for the NRA on shooting acoustics. This design will reduce it according to the report you have, but we want to do a new study and guarantee the reduction in writing.

Councilwoman Bartolotta asks you need a new study to make sure the proposal is accurate. Mr. Mr. Bergaidis states they want a new independent study so that it is current and can do it within the budget. Councilwoman Bartolotta states what you have will guarantee if the numbers are the same; if it is higher by another 5 decibels? Mr. Mr. Bergaidis states that is significant. You won't deviate too much from what you have, but we want to validate the numbers and that the receptor sites have been updated because of changes like trees growing or a new house built. Councilwoman Bartolotta states she is aware of the situation out there; trees have been cut down for new houses and her concern is if we do come in with a higher level, what would you have to do to reduce the sound. Mr. Mr. Bergaidis responds it would warrant a design change if it comes in higher. It would change the wall. The eave structure is 14 feet and the concrete wall is 12 feet. The wall sits 2 feet higher than the curtain wall; if the houses are now closer and the noise louder, then they will increase the height of the 12 foot wall. He doesn't see it too much different, because the range has not changed itself. In acoustics, by doubling the distance from here to the wall and go beyond the wall the same distance the noise will drop 6 decibels. Just doubling the distance I can reduce decibels by six decibels. It might not be that the gun fire is louder, just that they are closer, making the gun fire a little louder. Councilwoman Bartolotta states you have a plan to keep the building in working order. Mr. Bergaidis states they give a 5 year warranty on the walls. If there is a misfire and things get shot up, we will guarantee a replacement warranty. The bullet trap will have to be maintained and it is based on the actual number of rounds. They will have to do lead remediation every one or two years. The targets don't move, but turn, you will accumulate a certain amount of shrapnel and the intent is to clean it up. You want to clean it. The cleaning would be done by a local certified guy and we can recommend someone within the State to provide that service. Councilwoman Bartolotta asks about the replacement and if it includes labor; Mr. Mr. Bergaidis states no, only the materials. We give extra ceiling tiles. On the wall is the Troy board attached and we give you a brand new screw gun and fasteners to remove the boards that are shot up. They usually don't shoot up the wall. Councilwoman Bartolotta states you leave a screw gun along with the replacements. Mr. Bergaidis states they leave explicit instructions to do this and someone in the City could do it. We will train someone. Councilwoman Bartolotta asks about the officers and what the sound would be like for them. Mr. Bergaidis states gun fire causes a lot of problems; the instructors are there all day and the impact is unhealthy. Fatigue happens from the impulse pressure on the body from being around the gun fire. You don't feel well. Long term exposure, causes a different mental outlook. He states this design takes away those symptoms because the walls absorb the energy. Councilwoman Bartolotta asks about the lifespan of the building. Mr. Bergaidis states it is 20 year guarantee and the concrete will last 50 years. Councilwoman Bartolotta asks if they outline the maintenance. Mr. Bergaidis responds yes

Councilman Serra states the audibility of the gun fire is the purpose of the design. He states he has a front row seat on this and do you interview the neighbors in your study. The last time, it was perceived noise. He asks if they can be interviewed. Mr. Bergaidis states they can take

comments. Councilman Serra asks if they should know the effects of what is people feeling. Mr. Bergaidis states they can use written comments. The microphones will be set in the problem areas and obtain the data and if it matches what is there from 2012, they are in good shape. He doesn't think an acoustical engineer would be a good person to do an interview. Councilman Serra states for you to do the study is good. If it is louder, your acoustic material will work. Mr. Bergaidis states if the gun fire at the range will not be louder than 4 years ago but what changes is the area around the firing range. Once that is done we will go back to the same acoustical receptors to show that the decibel level has been reduced. Mr. Bergaidis states he appears before planning agencies across the country; they had people from the town next door from the range and the gun fire was transmitted to the second town. It is not unusual for people to complain about gunfire. Right now the range is wide open. You have nothing there and no mitigation. That is why you hear it. Councilman Serra glad to see the proposal and seems like it will take care of the problem. Mr. Bergaidis states the intent is to reduce the noise, mostly for the neighbors.

Councilman Faulkner states it is interesting that they haven't thought about the new development and he asks if we have to make recommendations to our Planning and zoning. Mr. Bergaidis states that happens first. He would recommend that you take further steps and have the developer acknowledge that it is a noise area. Mr. Bergaidis states any structure is a loss of decibels and there was no treatment to the range, you are hearing the maximum level of gun fire. The intent is to reduce the audibility of this transmission and it should subside dramatically.

Councilman Nocera states many questions were answered but he asks about the study and if it comes out that the acoustical level is higher, then you said the first priority is the wall along the firing line and can you do that within the scope of this project. Mr. Bergaidis states the short answer is yes. The newer homes have a sound level that wasn't there 4 years ago and those homes behind the homes, their level has changed. We need to know the audibility of the sound in the neighborhood. We can increase it by a foot, 125 long, 8 inches wide. They can pull it off in that budget; they can look at shrinking the bullet trap as well.

Councilman Giuliano thanks the speaker for the explanation; when this range opened up, it was pistols; now police officers are using 9 millimeters and 223's from M16's or M4; if the equipment doesn't change we know what is creating the noise; if they go to a weapon we are not aware of, then the sound could change. What you have to do is muffle the noise or disperse it and that is what this system is going to do. Mr. Bergaidis states it absorbs without reflection and it reduces the sound. It will transmit through the wall and roof, but we are absorbing the bulk of the energy before it transmits out and changing the transmission to go up. The reduced energy level is going up and dissipates more quickly as it moves up. It becomes a lower energy level. The sound to the homes is weaker.

Councilwoman Bartolotta asks what direction the wall is for stopping the sound. Mr. Bergaidis states the bullet trap is NNE and the wall is to the east; they are shooting to the northeast so the wall is northeast to the east. Councilwoman Bartolotta states there are complaints with the sound traveling to the soccer area; will it alleviate the sound from travelling there. Mr. Bergaidis states the roof structure and the 12 foot wall and the top of the bullet trap is a 45 degree steel plate and stops anything escaping from there. The directions of north, northeast, and east will be treated as well as overhead. The overhead protection will be about 12 feet. Councilwoman Bartolotta states where you are putting the wall is based on the study we have. When the new study is done, the wall may move. Mr. Bergaidis responds yes.

6. Mayor requests Council Clerk to read bond ordinance appropriation requests and the Certificate of Director of Finance

A. An Ordinance Appropriating \$750,000 For Environmental Remediation And The Design And Construction Of A Bullet Trap System At The Dingwall-Horan Joint Firearms Training Facility And Authorizing The Issue Of \$750,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose
(Approved)

Ordinance No. 18-16

File Name Middletown Bond Ordinance-Enviro_Bullet trap at Firearms Training Facility

Section 1. The sum of \$750,000 is hereby appropriated for environmental remediation and the design and construction of a bullet trap system at the Dingwall-Horan Joint Firearms Training Facility, and for all related services, improvements and costs, including, without limitation, surveying, landscape architecture, excavation, grading, engineering, construction, administration, and inspection; and all other costs necessary or appropriate for the project, including a water run-off filtration system, fill, concrete, asphalt, ballistic rubber and a contingency amount necessary to cover unexpected construction costs, project administration, advertising, printing, legal, and financing costs related thereto (hereinafter the "Project").

Section 2. The expected useful life of the Project is in excess of twenty (20) years. The total estimated cost of the Project is \$750,000, no portion of which is expected to be paid from sources other than the proposed bond issue.

Section 3. To meet said appropriation, \$750,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Project costs determined after considering the estimated amounts of grants in aid of the Project and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. The bonds shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation, the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 7. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 8. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 9. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 10. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 11. The Mayor, the City Treasurer, the Director of Finance and any other proper City official are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 12. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 13. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 14. This ordinance shall become effective fifteen days after its publication in a newspaper of general circulation in the City pursuant to Section 5 of the City Charter.

DEBT STATEMENT
July 29, 2016
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")

Fiscal Year Ended June 30, 2015	121,572,543
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BORROWING CAPACITY FOR EACH CLASS

2-1/4 times base for General Purposes	273,538,222
4-1/2 times base for Schools	547,076,444
3-3/4 times base for Sewers	455,897,036
3-1/4 times base for Urban Renewal	395,110,765

3 times base for Unfunded Past Benefit Obligations	364,717,629
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MAXIMUM AGGREGATE BORROWING CAPACITY	851,007,801
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7 times Base

INDEBTEDNESS BONDS

AND NOTES:

GENERAL PURPOSES	59,728,225
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SCHOOLS	9,464,400
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SEWERS	5,061,550
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URBAN RENEWAL	-
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UNFUNDED PAST	-
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BENEFIT OBLIGATIONS	-
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BONDS AND NOTES AUTHORIZED BUT UNISSUED:

GENERAL PURPOSES	54,009,220
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SCHOOLS	748,000
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SEWERS	26,746,130
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URBAN RENEWAL	-
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UNFUNDED PAST	-
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BENEFIT OBLIGATIONS	-
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CLEAN WATER FUND

LOANS:

SEWERS - PLOs	4,444,453
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SEWERS - IFOs	17,019,167
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SUB-TOTAL INDEBTEDNESS	169,580,107
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LESS

FEDERAL AND STATE OF CONNECTICUT
BUILDING GRANTS, COMMITMENTS AND
RECEIVABLES

GENERAL PURPOSE	-
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SCHOOLS	-
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SEWERS	15,000,000
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URBAN RENEWAL	-
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TOTAL DEDUCTIONS	-
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NET INDEBTEDNESS	162,221,145
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TOTAL DEDUCTIONS

BALANCE OF BORROWING CAPACITY FOR EACH CLASS:

GENERAL PURPOSE	159,800,777
SCHOOLS	536,864,044
SEWERS	417,625,736
URBAN RENEWAL	395,110,765
UNFUNDED PAST	
BENEFIT OBLIGATIONS	364,717,629
BALANCE OF MAXIMUM AGGREGATE BORROWING	
CAPACITY AVAILABLE	688,786,656

Motion to Recess

Councilwoman Bartolotta states she would like a 5 minutes recess. Councilman Giuliano seconds the motion. The Chair asks if there is discussion; hearing none, he calls for the vote. It is unanimous to approve with eight aye votes. The Chair declares the recess at 8:35 p.m.

Meeting Reconvenes

The Chair reconvenes the meeting at 8:42 p.m.

Motion to waive the rules

Councilman Serra moves to waive the rules to allow Carl Erlacher, Director of Finance to answer questions. Councilman Faulkner seconds the motion. Hearing no discussion, the Chair calls the vote; it is unanimous to approve with eight aye votes.

The Chair asks Director Erlacher to come forward. Mr. Erlacher comes forward to respond to questions about bonding, the \$12,100,000 and others. Councilman Serra states my question is authorizing the bond and timing and your thoughts relative to solvency. Mr. Erlacher states right now before tonight we have \$68 million authorized and unissued. The lion share is \$33 million for the parks. If you pass this, it will be \$82 million. Guy Russo has a \$4.2 million out for referendum; there is a road bond, a school and the police want to bond cruisers, the boathouse and parking garage. Next year's budget we are looking at a 0 increase in debt service; if we bond this spring, we pay interest only for the first year and principal the second and if we issue bonds for \$30 million, then the budget will remain flat. He doesn't know if the \$30 million will be enough; unless you authorize the project, the director in lieu of a building committee can set the pace for the project. You will see debt service increase in the 18-19 budget. Councilman Serra states the \$33 million, Mr. Erlacher clarifies it will be \$1.3 million each year. He states CSO is part of the general fund. Councilman Serra states the timing of the bonding is the key to solvency. Mr. Erlacher states he tries to do that every year. I only go out when the dollars are spent, not authorized. Councilman Serra asks Wayne Bartolotta the money is for next year. Mr. Bartolotta replies it is 18 months and won't be expended for 18 months. Mr. Erlacher states we project what directors need for a 12 month cycle. Councilman Serra states 18-19 debt service will be zero. Mr. Erlacher responds yes, unless we are doing projects. If all the directors go out and spend it, it is \$8 million in debt service. The projects have to be spread out.

Councilman Giuliano states what you were saying about the debt retiring, we know what that is. Those are known quantities and we know what we are up against as we issue the debt. Mr. Erlacher states next year, there will be a zero increase in debt service because it would be interest only for the first year. Councilman Giuliano states we can cushion the blow if we are careful. Mr. Erlacher replies yes. Councilwoman Bartolotta states the next two years we should be good with what is coming off and what we are putting on and are you looking at the parks. Mr. Erlacher replies the 17-18 budget, your debt service will be breakeven; depending how fast the projects go, the timing if we do \$2 million of road next summer or \$6 million. If we sit down with the directors and get a construction schedule and slow pay the parks, the following year, we have \$3.3 million coming off and you don't want to go out for more than \$33 million of bonding. If we do six million of parks or \$10 million, that will matter. If we do \$12 million, then we are up to \$22 million and you have to space it out. There are small things out there and they do add up. Councilwoman Bartolotta states for the next two years, will that include the spending on the salary. Mr. Erlacher only the debt service. Councilwoman Bartolotta states you are evening out the debt and if our expenses keep going up, taxes may go up. Mr. Erlacher states it depends on grand list growth and PILOT. Councilwoman Bartolotta states to that point, I asked for this on Finance and Government because of the abundance of dollars approved and if they get spent, we are looking at not keeping up. Mr. Erlacher states it is how fast the money is spent. With the mayor, we sort of plan these things and if the wish list comes to fruition, it all comes into play. Councilwoman Bartolotta states after the next two years, we don't know what is happening. Mr. Erlacher we should not put more than \$33 million bonding on to keep it flat. Councilwoman Bartolotta states that is the point of Councilman Giuliano; we know our expenditures and even though we know the numbers and if we keep the bonding flat, we are looking at increased taxes if the grand list doesn't grow.

Councilman Daley states he appreciates your comments and guidance but not only the timing of the issuing, it should be the authorizing of the bonds as well. We want to manage the debt service without volatility. To allay the concerns to the public and council, in the bond ordinances we are considering, there is a debt statement and shows our borrowing capacity. There are rules in how much municipalities can spend. We have \$851 million maximum capacity and we have right now total debt of about \$162 million. My calculation we are at 19% of our capacity; not that we want to be higher. We have not reached the level of irresponsibility. Erlacher states it is better because it includes all the projects that have been issued and unissued. Councilman Daley asks what a good level would be. Erlacher states historically we have been around 10% of the operating budget. Erlacher states we are within state guidance. Councilman Daley states we might look at that. Erlacher states we are higher because we pay it off in ten years. Councilman Serra states you are telling us that \$33 will take care of the \$3.6 million coming off. Mr. Erlacher that is a two year projection. If we issue less, we will have less debt service in two years.

Councilman Serra reads the ordinance through section 1.

Motion to Waive the Rules

Councilman Daley moves to waive the rules to waive the reading of the rest of the Ordinance; Councilman Giuliano seconds the motion. The Chair calls the vote and it is unanimous to waive the rules to waive the reading.

Councilman Thomas Councilman Serra moves for approval An Ordinance Appropriating \$750,000 For Environmental Remediation And The Design And Construction Of A Bullet Trap System At The Dingwall-Horan Joint Firearms Training Facility And Authorizing The Issue Of \$750,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose. Councilman Sebastian Giuliano seconds the motion.

Councilman Giuliano states briefly I came back on council 2013 and sat on public safety and this issue was in front of us then. I think we have gone through one workshop and there was a previous plan that was rejected. We have not been opaque on this. I think there are still a lot of things that will occur before it is built. If for some reason the public doesn't think we are not keeping them informed, this has been a public process. I wish we were this public with everything we did. I will support this because it appears to be a workable resolution to the problem and he will support it. Councilman Serra states this is a great evening because from 2008 the quality of life issue has been annoying; he thanks the Chief and Deputy and the consultant for the presentation. It is a good plan of action. He urges his colleagues for the sake of the Westfield area to vote yes on this. Councilwoman Bartolotta states there was some public comment being open with the project. This is the first night of a public hearing and we are voting on this and that is what the public is upset about. It is definitely a quality of life situation and environmental if not addressed properly. The questions to the consultant made her believe in the project.

The chair calls for the vote by roll call:

Councilwoman Bartolotta	Aye
Councilman Blanchard	Aye
Councilman Chisem	Absent
Councilman Daley	Aye
Councilman Giuliano	Aye
Councilwoman Faulkner	Aye
Councilwoman Kleckowski	Absent
Councilman Nocera	Aye
Councilman Pessina	Absent
Councilman Salafia	Absent
Councilman Santangelo	Aye
Councilwoman Serra	Aye

It is 8 aye votes by Councilman Eugene Nocera, Councilman Thomas Councilman Serra, Councilwoman Mary Bartolotta, Councilman Gerald Daley, Councilman Robert Santangelo, Councilman Robert Blanchard, Councilman Grady Faulkner, Jr., Councilman Sebastian Giuliano; 0 nay votes by no one and 4 absent by Councilman Carl Chisem, Councilman Philip Pessina, Councilwoman Deborah Kleckowski, and Councilwoman Linda Salafia. The Chair states the matter carried with 8 affirmative votes, 0 in opposition and 4 absent.

B. An Ordinance Appropriating \$750,000 Relating To A Long-Term Capital Lease Of Tennis Courts At Wesleyan University And Authorizing The Issue Of \$750,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose
(Approved)

Ordinance No. 19-16

File Name Middletown Bond Ordinance – Wesleyan Tennis Courts (7_26_16)

Section 1. The sum of \$750,000 is hereby appropriated for the up-front payment of a long-term capital lease of eight (8) tennis courts at Wesleyan University as more particularly set forth in the form of attached Lease as set forth in Exhibit A attached hereto, and for all other costs necessary or appropriate for the project, including administrative, advertising, printing, legal, and financing costs related thereto (hereinafter the "Project"). Said appropriation shall be inclusive of state and federal grants in aid thereof.

Section 2. The expected useful life of the Project is fifteen (15) years. The total estimated cost of the Project is \$750,000, no portion of which is expected to be paid from sources other than the proposed bond issue.

Section 3. To meet said appropriation, \$750,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the tenth (10th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Project costs determined after considering the estimated amounts of grants in aid of the Project and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. The bonds shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation, the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 7. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 8. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 9. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 10. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 11. The Mayor, the City Treasurer, the Director of Finance and any other proper City official are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 12. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 13. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 14. This ordinance shall become effective fifteen days after its publication in a newspaper of general circulation in the City pursuant to Section 5 of the City Charter.

DEBT STATEMENT
July 29, 2016
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")		
Fiscal Year Ended June 30, 2015		121,572,543
BORROWING CAPACITY FOR EACH CLASS		
2-1/4 times base for General Purposes		273,538,222
4-1/2 times base for Schools		547,076,444
3-3/4 times base for Sewers		455,897,036
3-1/4 times base for Urban		
Renewal		395,110,765
3 times base for Unfunded Past Benefit Obligations		364,717,629
MAXIMUM AGGREGATE BORROWING CAPACITY		851,007,801
7 times Base		
INDEBTEDNESS BONDS AND NOTES:		
GENERAL PURPOSES	59,728,225	
SCHOOLS	9,464,400	
SEWERS	5,061,550	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT		
OBLIGATIONS	-	
BONDS AND NOTES AUTHORIZED BUT UNISSUED:		
GENERAL PURPOSES	54,009,220	
SCHOOLS	748,000	
SEWERS	26,746,130	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT		
OBLIGATIONS	-	
CLEAN WATER FUND LOANS:		
SEWERS - PLOs	4,444,453	
SEWERS - IFOs	17,019,167	
SUB-TOTAL INDEBTEDNESS	169,580,107	
LESS		
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES		
GENERAL PURPOSE	-	
SCHOOLS	-	
SEWERS	15,000,000	
URBAN RENEWAL	-	
TOTAL DEDUCTIONS	-	
NET INDEBTEDNESS		162,221,145
TOTAL DEDUCTIONS		
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:		
GENERAL PURPOSE	159,800,777	
SCHOOLS	536,864,044	
SEWERS	417,625,736	
URBAN RENEWAL	395,110,765	
UNFUNDED PAST BENEFIT		
OBLIGATIONS	364,717,629	
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE		688,786,656

Councilman Daley reads the ordinance through Section 1.

Motion to Waive the Rules

Councilman Serra moves to waive the rules to waive the reading of the rest of the ordinance; Councilman Faulkner seconds the motion. The Chair calls for the vote and it is unanimous to approve waiving the reading.

Councilman Gerald Daley reads and moves for approval An Ordinance Appropriating \$750,000 Relating To A Long-Term Capital Lease Of Tennis Courts At Wesleyan University And Authorizing The Issue Of \$750,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose. Councilman Thomas Councilman Serra seconds the motion.

Councilman Faulkner will support it but acknowledges he had a question on the liability insurance and general counsel will look at it. Councilwoman Bartolotta states she will not support this, this evening. The request to split the cost because they could not financially absorb the entire project. She finds that hard to believe. Wesleyan talks about their partnership with the city and it has declined. They are charging the BOE for their facilities and they said they wouldn't do it. With the monies we are spending for the bullet trap, those are the projects we should do and not one with a rich college. Councilman Nocera states he will be supporting this ordinance for two reasons. First, being the chair of the Parks committee, he has firsthand knowledge from the community to support this initiative and as former chair of the Board; he has seen Wesleyan building a good relationship with our district and looks forward to approving the relationship. This is in our best interests to add tennis courts for community use. Additionally the city lost tennis courts over time. This is a win/win for the city and he wholeheartedly supports it. Councilman Serra states it was endorsed unanimously from Public Works and we will have use of 8 courts and priority use of another 8. We can rent it out to other municipalities and it could be a money making thing to offset the costs. It will take care of the tennis in our schools and the recreation program. Public Works Commission recommended not doing the tennis courts on Newtown.

Councilman Daley states will support this ordinance and I think it is important to note these courts will be primarily for the high school and as Councilman Faulkner pointed out, the public has had use of them for well over 50 years. That facility has been de facto a quasi-city facility for many years. More importantly I wanted to counter the implications that Wesleyan is not doing what it should for the City. It is a tremendous asset for the community and an economic asset. He explains his comments. We should be proud of their healthy endowment and what they have invested in their campus. Beyond that, they were a key partner to look at revitalizing the riverfront and active in redeveloping our boathouse. The recent example is the State Department of Economic and Community Development asked for planning grants for innovation places and preference would be given to applications led by private organizations so we have been engaged with conversations with the Chamber and Middlesex Community College and Wesleyan and they offered their grant writing office to help with the grant.

Councilman Giuliano states to add to what was said, this is the perfect definition of a partnership. It is a 50-50 cost. If they paid for it entirely, they could keep their use exclusively for the college. This is actually a much less expensive way out than doing it our self. The project we are doing on Newtown Street is six courts and this is 8 for roughly the same amount of money. This adds to what is available to the citizens of Middletown.

Councilwoman Bartolotta states from all the statements made on behalf of Wesleyan, I appreciate your sharing the information. My negative response is based on Wesleyan pulling out of the Green Street Project; for charging the Board of Education for the use of their facilities. She appreciates hearing the historical information. I understand that the \$750,000 split is a partnership; I would like to have seen a better one. I appreciate they own homes and pay taxes. It could have been a better partnership based on what they are backing out of.

The chair calls for the vote by roll call:

Councilwoman Bartolotta	Nay
Councilman Blanchard	Aye
Councilman Chisem	Absent
Councilman Daley	Aye
Councilman Giuliano	Aye
Councilwoman Faulkner	Aye
Councilwoman Kleckowski	Absent
Councilman Nocera	Aye
Councilman Pessina	Absent
Councilman Salafia	Absent
Councilman Santangelo	Aye
Councilwoman Serra	Aye

It is 7 aye votes by Councilman Eugene Nocera, Councilman Thomas Councilman Serra, Councilman Gerald Daley, Councilman Robert Santangelo, Councilman Robert Blanchard, Councilman Grady Faulkner, Jr., Councilman Sebastian Giuliano; 1 nay vote by Councilwoman

Mary Bartolotta and 4 absent by Councilman Carl Chisem, Councilman Philip Pessina, Councilwoman Deborah Kleckowski, Councilwoman Linda Salafia. The Chair states the matter carried with 7 affirmative votes, 1 in opposition and 4 absent.

C. An Ordinance Appropriating \$12,100,000 For Radio Communication Upgrades To The City's Central Communication Department And Authorizing The Issue Of \$12,100,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

(Approved)

Ordinance No. 20-16

File Name 16aug22middletownbondraidocommunicationsupgrade

Section 1. The sum of \$12,100,000 is hereby appropriated for the planning, acquisition, engineering and installation of radio communication upgrades for the City's Central Communication Department, including, without limitation, trunked radio system infrastructure, digital logging record, network hardware, dispatch console system, redundant controller system, subscriber units and a interoperability system, and all other components associated with the radio communication upgrade, as well as any project manufacturing, monitoring, inspection, site work, consultants, training, testing, legal, administrative and financing costs as may be accomplished within said appropriation (hereafter the "Project"). Said appropriation shall be inclusive of state and federal grants in aide thereof.

Section 2. The remaining expected useful life of the Project is in excess of ten (10) years. The total estimated cost of the Project is \$12,100,000, no portion of which is expected to be paid from sources other than the proposed bond issue.

Section 3. To meet said appropriation \$12,100,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Project costs determined after considering the estimated amounts of grants in aid of the Project and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. The bonds shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation, the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 7. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 8. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 9. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 10. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 11. The Mayor, the City Treasurer, the Director of Finance and any other proper City official are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 12. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 13. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 14. This ordinance shall take effect when the same shall have been approved by a majority of those voting thereon at a referendum called and warned for such purpose. The date and other particulars of such referendum shall be determined by resolution of the Common Council. In the event that this ordinance shall not be approved at such referendum, it shall be null and void and of no effect.

DEBT STATEMENT
July 29, 2016
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")	
Fiscal Year Ended June 30, 2015	121,572,543
BORROWING CAPACITY FOR EACH CLASS	
2-1/4 times base for General Purposes	273,538,222
4-1/2 times base for Schools	547,076,444
3-3/4 times base for Sewers	455,897,036
3-1/4 times base for Urban	
Renewal	395,110,765
3 times base for Unfunded Past Benefit Obligations	364,717,629
MAXIMUM AGGREGATE BORROWING CAPACITY	851,007,801
7 times Base	
INDEBTEDNESS BONDS AND NOTES:	
GENERAL PURPOSES	59,728,225
SCHOOLS	9,464,400
SEWERS	5,061,550
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT	
OBLIGATIONS	-
BONDS AND NOTES AUTHORIZED BUT UNISSUED:	
GENERAL PURPOSES	54,009,220
SCHOOLS	748,000
SEWERS	26,746,130
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT	
OBLIGATIONS	-
CLEAN WATER FUND LOANS:	
SEWERS - PLOs	4,444,453
SEWERS - IFOs	17,019,167
SUB-TOTAL INDEBTEDNESS	169,580,107
LESS	

FEDERAL AND STATE OF CONNECTICUT		
BUILDING GRANTS, COMMITMENTS AND		
RECEIVABLES		
GENERAL PURPOSE	-	
SCHOOLS	-	
SEWERS	15,000,000	
URBAN RENEWAL	-	
TOTAL DEDUCTIONS	-	
NET INDEBTEDNESS		162,221,145
TOTAL DEDUCTIONS		
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:		
GENERAL PURPOSE	159,800,777	
SCHOOLS	536,864,044	
SEWERS	417,625,736	
URBAN RENEWAL	395,110,765	
UNFUNDED PAST BENEFIT		
OBLIGATIONS	364,717,629	
BALANCE OF MAXIMUM AGGREGATE BORROWING		
CAPACITY AVAILABLE		688,786,656

Councilman Santangelo reads the ordinance through Section 1.

Motion to Waive the Rules

Councilman Serra moves to waive the rules to waive the rest of the reading or the ordinance; Councilman Daley seconds the motion. The vote is called and it is eight ayes to waive the remainder of reading.

Councilman Robert Santangelo moves for approval An Ordinance Appropriating \$12,100,000 For Radio Communication Upgrades To The City's Central Communication Department And Authorizing The Issue Of \$12,100,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose. Councilman Thomas Councilman Serra seconds the motion.

The chair calls for the vote by roll call:

Councilwoman Bartolotta	Aye
Councilman Blanchard	Aye
Councilman Chisem	Absent
Councilman Daley	Aye
Councilman Giuliano	Aye
Councilwoman Faulkner	Aye
Councilwoman Kleckowski	Absent
Councilman Nocera	Aye
Councilman Pessina	Absent
Councilman Salafia	Absent
Councilman Santangelo	Aye
Councilwoman Serra	Aye

It is 8 aye votes by Councilman Eugene Nocera, Councilman Thomas Councilman Serra, Councilwoman Mary Bartolotta, Councilman Gerald Daley, Councilman Robert Santangelo, Councilman Robert Blanchard, Councilman Grady Faulkner, Jr., Councilman Sebastian Giuliano; 0 nay votes by no one and 4 absent by Councilman Carl Chisem, Councilman Philip Pessina, Councilwoman Deborah Kleckowski, Councilwoman Linda Salafia. The Chair states the matter carried with 8 affirmative votes, 0 in opposition and 4 absent.

7. Resolutions, Ordinances, etc:

- A. Approving authorizing the Mayor to enter into a lease with Wesleyan University for the John Wood Memorial Tennis Court Facility on Vine Street as outlined in the resolution and after review and approval by the General Counsel as to content and form.**

(Approved)

Resolution No. 102-16

**File Name Resolutions –Agreements Wesleyan Tennis Courts Lease 7 25 16
Wesleyan Tennis Courts Lease for Common Council Consideration 8 1
16.docx**

WHEREAS, Wesleyan University and the City of Middletown are partnering to construct and maintain first class tennis courts for shared usage at the John Wood Memorial Tennis Court facility on Vine Street; and

WHEREAS, the City will be bonding \$750,000, of which \$743,000 would go to Wesleyan and the remainder would be for legal and administrative costs; and

WHEREAS, Wesleyan will also be contributing \$750,000 to the project; and

WHEREAS, the City's contribution will take the form of an up-front payment of rent for a 15-year lease; and

WHEREAS, the City would be entitled to a pro-rated refund based the years remaining under the lease for a breach by Wesleyan, and would have the option to negotiate additional years and terms at the end of the lease; and

WHEREAS, the City would have primary access to the "A Courts," which are the current courts and closest to the parking for the facility, with Wesleyan having primary access to the "B Courts," which have yet to be constructed and would be furthest from the parking; and

WHEREAS, each would have a secondary right of access and use to the other's courts based on need;

NOW, THEREFORE, BE IT RESOLVED: That the Mayor is hereby authorized to enter into a lease with Wesleyan University along the terms outlined above upon review and approval by the General Counsel as to content and form.



City of Middletown



Wesleyan University

JOHN WOOD MEMORIAL TENNIS COURTS LEASE

This lease ("**Lease**") between the City of Middletown ("**City**") as **Lessee** and Wesleyan University ("**Wesleyan**") as **Lessor** is made effective as of the date of the last signature below between the Mayor on behalf of the City or the President on behalf of Wesleyan (the "**Effective Date**"). Under this Lease, the City and Wesleyan are partnering to construct 8 new tennis courts to go with the 8 existing tennis courts at the John Wood Memorial Tennis Courts facility on Vine Street (the "**Premises**"). Wesleyan will construct the new courts. The City will pay \$743,000 to Wesleyan in advance for a 15-year lease of the 8 existing tennis courts as set forth below.

I. DESCRIPTION OF PREMISES

The Premises consists of the 8 tennis courts at the John Wood Memorial Tennis Courts facility on Vine Street closest to the parking lot, as depicted in **Exhibit A** (the "**A Courts**"), along with the 8 additional tennis courts to be constructed at the facility furthest from the parking lot, as depicted in **Exhibit B** (the "**B Courts**"). The A Courts consist of two banks of four courts each and were resurfaced during the Summer of 2011. The B Courts will be constructed of like material and in like quality as the A Courts. Under this Lease, the Lessor will have primary use of the B Courts and the Lessee will have primary use of the A Courts.

II. DURATION OF LEASE

This Lease will run for **15 years** from the Effective Date and will expire at 11:59 p.m. Eastern on the 15th anniversary of the Effective Date (the "**Expiration Date**").

III. RENEWAL OPTION

Upon mutual agreement of the Lessor and Lessee, this Lease may be renewed on similar terms and conditions for an additional 15 years. Notice of a desire to renew the Lease must be provided to the other party at least 90 days from the Expiration Date. The parties will negotiate any renewal in good faith and will give proper allowance for the capital and operating costs each has devoted to the Premises.

IV. RENT

A. Payment

The Lessee will pay the Lessor rent of **\$743,000** due and payable up front within 60 days after the Charter deadline for referendum. The City will pay for its rent through passage of a \$750,000 bond ordinance, with the \$743,000 in rent being issued after covering legal and administrative costs for the bond issuance itself. Pursuant to the City's Charter, the electorate has the right to seek referendum within 15 calendar days following publication of the bond ordinance. If no petition is successfully filed within that period, then the 60-day period will commence after the 15-day window following passage has closed. If a petition is successfully filed, the 60-day period will commence after failure of the referendum and expiration of all periods for additional challenge. If the referendum succeeds, this Lease will be null and void.

B. Refund

Because the Lessee is paying all rent up front and because the Lease has a term of 15 years, if the Lessor breaks the Lease or breaches it without curing the breach, the Lessor will pay the Lessee an amount equal to the number of years remaining on the Lease. For purposes of calculating the refund, the Lessee's \$743,000 rent payment will be divided by 15 and will equal \$49,533.33 per year. For example, if the Lessor breaks or breaches without curing the Lease with 10 years remaining, it will owe the Lessee \$495,333.33 (10 years @ \$49,533.33 per year). If a year is in progress at the time of the break or breach, it will be prorated. For example, if the breach or break occurs on the 100th day of the 5th year, the Lessor will owe the Lessee \$508,904.11 (10 years @ \$49,533.33 per year, plus 100/365 of \$49,533.33 for year 5, or \$13,570.78).

V. EXCLUSIVE USE OF OWN COURTS AND PREFERENTIAL TREATMENT FOR OTHER COURTS

The Lessor will have exclusive use of the B Courts and the Lessee will have exclusive use of the A Courts. This means access to the courts 24 hours a day, 7 days a week, 365 days a year. The parties wish, however, to provide each other with a preference so that if one or the other has need of some or all of the other's courts, each will have preferential treatment for them. For example, if Wesleyan is hosting a large tournament or event and needs some or all of the A Courts, provided the City does not otherwise need them, Wesleyan will have a right to their use. Likewise, should the City have a large event and need the B Courts, it, too, will have a right to them, provided Wesleyan does not otherwise need them.

To make sure each party's preferential treatment is protected, the party seeking the other party's courts will provide as much notice as possible. Use of the courts will not require payment or other consideration and denial of their use will not give rise to any claim or cause under this Lease. If a party is using the other's courts under this preferential treatment provision, it will assume all liability as if operating its own exclusive courts and will hold the other party harmless and indemnify it. The parties agree to work in good faith to grant each other's preferences and to minimize scheduling conflicts as much as possible.

VI. MAINTENANCE

The Lessor will be responsible for all maintenance, and all costs associated with maintenance, for the Premises. It will maintain the A Courts and B Courts in good, clean, working order and will ensure that they are serviceable and fit for their intended purpose during the life of this Lease. The A Courts were recently resurfaced to have the same blue/green finish as the U.S. Open Facility in Flushing Meadows, New York, and Lessor will ensure that the A Courts remain of equal quality to the yet-to-be-constructed B Courts. The Lessee's financial contribution is limited to the \$743,000 rental payment and in no event will extend to ongoing maintenance or operating costs. The Lessee will not make any alterations to the Premises, or place or remove any structures on it or from it, without the Lessor's express written permission.

VII. SUBLEASE AND ASSIGNMENT

Neither party may sublease or assign this Lease without the express written permission of the other. The Lessor recognizes, however, that the Lessee may wish to allow third parties to use the A Courts for limited times or purposes. For instance, Middletown Public Schools, Mercy and Xavier High Schools, Middletown Adult Education, and other similar entities, may wish to use the courts. The Lessor grants the Lessee the right to authorize third parties to use the A Courts, provided that such third parties indemnify, release, and hold harmless Wesleyan from any and all claims arising out of the use of the courts, and provided further, that they obtain and provide Wesleyan with certificates of insurance naming Wesleyan as an additional insured for the following coverages:

- Public Liability and Property Damage Insurance in the amount of \$1,000,000 for injury or death to any one person and \$1,000,000 for any one accident, and \$500,000 for damage to property.
- Property Insurance on an all-risk basis in an amount equal to one-hundred percent (100%) of the replacement cost value of the improvements and betterments and contents.
- Fire Legal Liability in the amount of \$1,000,000.
- Workers' Compensation Insurance, including Employer's Liability, with limits of \$100,000 Each Accident, \$500,000 Disease, Policy Limit, and \$100,000 Disease, Each Employee.

VIII. INDEMNITY

The parties release, indemnify, and hold each other harmless for their respective uses of their portions of the Premises.

Lessee will assume all risks incident to the use of the A Courts and will indemnify and hold Lessor harmless against any and all loss, damage, or expense resulting from personal injury or damage to, or loss of property caused in any manner by Lessee, Lessee's agents, employees, students or invitees on the Premises.

Lessor will assume all risks incident to the use of the B Courts and will indemnify and hold Lessee harmless against any and all loss, damage, or expense resulting from personal injury or damage to, or loss of property caused in any manner by Lessee, Lessee's agents, employees, students or invitees on the Premises.

Lessor and Lessee will provide each other with certificates of insurance naming the other as additional insureds for the following amounts, which will apply through the life of the Lease:

- Public Liability and Property Damage Insurance in the amount of \$1,000,000 for injury or death to any one person and \$1,000,000 for any one accident, and \$500,000 for damage to property.
- Property Insurance on an all-risk basis in an amount equal to one-hundred percent (100%) of the replacement cost value of the improvements and betterments and contents.
- Fire Legal Liability in the amount of \$1,000,000.
- Workers' Compensation Insurance, including Employer's Liability, with limits of \$100,000 Each Accident, \$500,000 Disease, Policy Limit, and \$100,000 Disease, Each Employee.

IX. DEFAULT, BREACH, AND BREAK

Lessor recognizes that Lessee is investing \$743,000 up front in the Premises, and that Lessor will continue to own the improved Premises after expiration of this Lease. As such, Lessee wishes to protect its investment as much as possible. If either party breaches or is in default of any term of this Lease, the other party will provide notice to cure. The breaching or defaulting party will have 30 days from this notice to cure the breach or default. Should the Lessor break the lease, or breach it or become in default of it in such a way as to preclude the Lessee from full enjoyment of the A Courts, then Lessor will owe Lessee a refund of rent as outlined above.

X. NOTICES

Notices, requests, demands and documents required or desired to be given under this Lease will be in writing and delivered by United States mail, postage prepaid, certified or registered mail, addressed to the party at the following addresses:

To Lessor:
Wesleyan University
45 Wyllys Avenue
Middletown, CT 06457
Attention: Office of the General Counsel

To Lessee:
City of Middletown
245 DeKoven Drive
Middletown, CT 06457
Attention: Office of the General Counsel

Delivery will be conclusively deemed effected at the time the receipt is marked. If unmarked or unclaimed, delivery will be conclusively deemed effected 72 hours after deposited in the mail.

XI. DISPUTES

This Lease will be governed by, construed, and enforced in accordance with the laws of the State of Connecticut. The parties will first attempt to negotiate any disputes in good faith, and then will mediate, with each side bearing its own costs and splitting the cost of the mediation in half. Should mediation fail, the parties will submit the matter to litigation before the Superior Court of the Judicial District of Middlesex, with each party bearing its own costs, and neither party being awarded costs or fees even as a prevailing party.

In witness whereof, each party to this agreement has caused it to be executed at Middletown, Connecticut on the date indicated below.

WESLEYAN UNIVERSITY,

Witness

Witness

APPROVED AS TO FORM:

Office of the General Counsel

Office of the General Counsel

Witness

Witness

APPROVED AS TO FORM:

Office of the General Counsel

Lessor

By

Michael S. Roth, President
Duly Authorized

Dated:

CITY OF MIDDLETOWN,
Lessee

By

Daniel T. Drew, Mayor
Duly Authorized

Dated:

BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

1. That the ordinance entitled “AN ORDINANCE APPROPRIATING \$12,100,000 FOR RADIO COMMUNICATION UPGRADES TO THE CITY’S CENTRAL COMMUNICATION DEPARTMENT AND AUTHORIZING THE ISSUE OF \$12,100,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”, as adopted the Common Council at its special meeting of August 22, 2016, be submitted to a referendum vote of the electors of the City for approval or disapproval on November 8, 2016 between the hours of 6:00 A.M. and 8:00 P.M. and that the warning of said referendum state the question to be voted upon and the ballot label with respect thereto as follows:

Question 1:

“Shall the ordinance entitled ‘AN ORDINANCE APPROPRIATING \$12,100,000 FOR RADIO COMMUNICATION UPGRADES TO THE CITY’S CENTRAL COMMUNICATION DEPARTMENT AND AUTHORIZING THE ISSUE OF \$12,100,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE, as adopted by the Common Council on August 22, 2016, be approved? YES NO”

The ballot label for said question shall read as follows:

"Shall the \$12,100,000 appropriation and bond and obligation authorization for the planning, acquisition, engineering and installation of radio communication upgrades for the City's Central Communication Department, pursuant to the ordinance adopted by the Common Council on August 22, 2016, be approved? YES NO"

2. The voting will be by paper/electronic ballot. Those desiring to vote for a question shall fill in the box in front of the question on the ballot at **"YES"**. Those desiring to vote against a question shall fill in the box in front of the question on the ballot at **"NO"**. Absentee ballots will be made available in accordance with the law.

3. The warning of said referendum shall also state that the full text of the aforesaid ordinance and question are on file open to public inspection in the office of the City and Town Clerk, that the vote on the aforesaid bond ordinance is taken pursuant to Chapter IX, Section 2 of the City Charter and Chapters 90 and 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be made available in accordance with the law.

4. The City and Town Clerk is hereby authorized and directed to prepare and print pursuant to section 9-369b of the Connecticut General Statutes (i) explanatory text for the foregoing question and (ii) materials concerning such question in addition to the explanatory text.

Councilwoman Mary Bartolotta reads and moves for approval submitting the ordinance entitled "An Ordinance appropriating \$12,100,000 for radio communication upgrades to the City's Central Communication Department and authorizing the issue of \$12,100,000 Bonds of the City to referendum on November 8, 2016 and approving the question and ballot label for said referendum. Councilman Thomas Councilman Serra seconds the motion.

Councilman Faulkner states it is a lot of money and he hopes we will still do whatever due diligence we still can. I am disappointed that we didn't get any responses to the RFQ; he would have liked to see some numbers. If we get any more information, to keep the public informed before they have to vote, he would appreciate it.

Councilwoman Bartolotta states she is agreeable to moving this forward; she is in agreement with Councilman Faulkner that the RFP phase was not long enough and she would like to see this go out to bid again to make sure that we are getting the most for our money; she does understand the urgency to get it on the November 8 ballot, but she would like it to be recognized the amount of money you are spending and ask you to reconsider going out to bid. The Bond does not say it has to be Motorola, but if Motorola ends up being the best value then I would understand that and feel more comfortable.

Councilman Blanchard states he seconds Councilwoman Bartolotta's comments, especially if there can be savings by going out to bid again, even if it's anywhere from two to three million dollars. This is quite a chunk of change to be spending and if we are paying for a whole County of Pennsylvania for this same amount, essentially I think we can save a bit by going out to bid again. I will be supporting it tonight in the name of public safety.

The chair calls for the vote. It is 8 aye votes by Councilman Eugene Nocera, Councilman Thomas Councilman Serra, Councilwoman Mary Bartolotta, Councilman Gerald Daley, Councilman Robert Santangelo, Councilman Robert Blanchard, Councilman Grady Faulkner, Jr., Councilman Sebastian Giuliano; 0 nay votes by no one and 4 absent by Councilman Carl Chisem, Councilman Philip Pessina, Councilwoman Deborah Kleckowski, Councilwoman Linda Salafia. The Chair states the matter carried with 8 affirmative votes, 0 in opposition and 4 absent.

8. Meeting adjourned.

Councilman Thomas Councilman Serra reads and moves for approval adjourning the meeting. Councilman Sebastian Giuliano seconds the motion. The chair calls for the vote. It is 8 aye votes by Councilman Eugene Nocera, Councilman Thomas Councilman Serra, Councilwoman Mary Bartolotta, Councilman Gerald Daley, Councilman Robert Santangelo, Councilman Robert Blanchard, Councilman Grady Faulkner, Jr., Councilman Sebastian Giuliano; 0 nay votes by no one and 4 absent by Councilman Carl Chisem, Councilman Philip Pessina, Councilwoman Deborah Kleckowski, Councilwoman Linda Salafia. The Chair states the matter carried with 8 affirmative votes, 0 in opposition and 4 absent.

The chair states we are adjourned at 9:25 p.m.

ATTEST:

MARIE O. NORWOOD
COMMON COUNCIL CLERK